IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 12321 of 2005

Between:

1 Smt.Cholleti Yashoda Devi, w/o late Narasimha Reddy,
r/o 1-2-251, Siddipet Road, Jangaon Town, District Warangal.
2 Smt.Dharma Arunadevi, w/o Sri Kondal Reddy,
r/o 1-2-251, Siddipet Road, Jangaon Town, Warangal District.
3 T.Jitender Reddy, s/o late Lakshma Reddy,
r/o 1-7-1251, Advocates Colony, Hanamkonda, Warangal District.

..... PETITIONERS

AND

1 The Chief Secretary, Government of A.P., Secretariat Building, Hyderabad.
2 The District Collector, Warangal.
3 The Special Officer, Jangaon Town Municipality, Jangaon, Warangal District.
4 The Commissioner, Jangaon Municipality, Jangaon Town, District Warangal.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to exercise its extra ordinary jurisdiction under Article 226 of the Constitution of India by issuing proceedings in the nature of writ of mandamus or like any other suitable writ or writs declaring the action of respondents non initiation of acquisition proceedings in Sy.No.61/1 with regard to petitioners' land for the purpose of laying the proposed road as illegal, arbitrary and effecting the fundamental right to property under Article 310(a) of Constitution of India and consequently pass suitable directions to the respondents not to interfere in the possession of petitioner sin the land bearing Sy.No.61/1 admeasuring 800 sq.yds. of land out of 1 acre 12 guntas for the purpose of laying road as per the Master Plan or for any other purpose without paying compensation as per the law and be pleased to pass such other order or

orders as are deemed fit.

Counsel for the Petitioner: MR.BANKATLAL MANDHANI

Counsel for the Respondent No.: GP FOR REVENUE

The Court at the stage of admission made the following :

ORDER:

Heard both sides.

In this Writ Petition, petitioners are seeking a Writ of Mandamus, declaring the action of the respondents, non-initiation of acquisition proceedings in S.No. 61/1 with regard to petitioners land for the purpose of laying the proposed road as illegal, arbitrary and effecting the fundamental right to property under Article 310(a) of the Constitution of India and consequentially pass suitable directions to the respondents not to interfere in the possession of petitioners in the land bearing S.No. 61/1 admeasuring 800 sq.yards of land out of Ac. 1.12 Guntas for the purpose of laying road as per the Master Plan or for any other purpose without paying compensation as per the law.

Without going into the merits of the case, I deem it appropriate to direct the respondents to follow the guidelines issued by the Division Bench in PILLI LAKSHMANA RAO AND OTHERS VS. EXECUTIVE OFFICER, GRAM PANCHAYAT, CHALLAPALLE AND OTHERS before acquiring the land measuring 800 sq. yds out of Ac. 1.12 guntas in S.No. 61/1 of Jangaon Revenue Village and Mandal, Warangal District.

Accordingly, the Writ Petition is disposed of. No order as to costs.

E. DHARMA RAO, J

DATED: 13/06/2005

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To

1 The Chief Secretary, Government of A.P., Secretariat Building, Hyderabad.
2 The District Collector, Warangal.
3 The Special Officer, Jangaon Town Municipality, Jangaon, Warangal District.
4. The Commissioner, Jangaon Municipality, Jangaon Town, District Warangal.

5. Two CCs to G.P for Revenue, High Court of A.P., Hyderabad (OUT)

6. Two CD copies.